

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	Criminal No. 3:08-CR-0147
	:	
v.	:	(Judge Mariani)
	:	
WILFREDO ARIEL SOLANO	:	Electronically filed

**REPLY BRIEF IN SUPPORT OF MOTION  
FOR COMPASSIONATE RELEASE AND  
REDUCTION OF SENTENCE UNDER 18 U.S.C. § 3582(c)(1)(A)**

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The government argues that Wilfredo Solano’s motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A) should be dismissed for his failure to exhaust administrative remedies. *See* Doc. 66 at 1, 8-13. But this Court has already rejected that argument, *see United State v. Reyes*, No. 3:16-CR-0227, slip op. at 4-5 (M.D. Pa. June 22, 2020), and indeed the U.S. Department of Justice has itself disclaimed it, *see* Brief of U.S. at 5, *United States v. Yanney*, No. 4:15-CR-0298 (M.D. Pa. June 29, 2020).

The only issue, therefore, is whether the risks posed to Mr. Solano from his current confinement – particularly in light of the ongoing pandemic – constitute “extraordinary and compelling reasons” and warrant a reduction in his sentence. They plainly do, as shown in the opening brief. *See* Doc. 61. While the government endeavors to downplay those risks, and exaggerate the need for continued incarceration, it does not and cannot undermine that showing or truly challenge Mr.

Solano's entitlement to relief.<sup>1</sup> The motion for compassionate release should be granted, and Mr. Solano resentenced accordingly.

Date: July 6, 2020

Respectfully submitted,

/s/ Quin M. Sorenson

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<sup>1</sup> The government boasts at one point that the institution at which Mr. Solano is housed has no cases of COVID-19. Doc. 66 at 20. But the government says nothing about the actual number of inmates who have been tested there. *See id.*

### **CERTIFICATE OF SERVICE**

I, Quin M. Sorenson, Esquire, of the Federal Public Defender's Office, certify that I caused to be served on this date a copy of the foregoing filing via electronic case filing, and/or by placing a copy in the United States mail, first class in Harrisburg, Pennsylvania, and/or by hand delivery, addressed to the following:

Jaime M. Keating, Esquire  
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Date: July 6, 2020

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